

**NOTICE OF MEETING
CLEVELAND CITY COUNCIL
Thursday, August 14, 2014**

A meeting of the Cleveland City Council will be held at **6:00 p.m.** on Thursday, August 14, 2014 in the Council Chambers of the Cleveland Municipal Building located at 201 North Broadway, Cleveland, Oklahoma.

AGENDA

1. **Call to order.**
2. **Roll Call**
3. Discussion and action to approve or reject the **minutes** of the previous meeting.
4. Discussion and action to approve or reject the **Treasurer's Report.**
5. Discussion concerning list of **purchase orders** paid.
6. **Public Comments.** All comments will be limited to agenda items only. Participants are required to sign in prior to the start of the meeting.
7. Discussion and action to approve or reject **Resolution No. 2014-3: A Resolution of Cleveland, Oklahoma casting a vote for one Trustee of the Oklahoma Municipal Retirement Fund (OkMRF) to fill the expiring term of Trustee-at-Large.**
8. Discussion concerning **Ambulance coverage area.**
9. Discussion and action to approve or reject **proposed amendments to the Employee Handbook for the City of Cleveland regarding special rules for overtime pay for police and firefighters.**
10. Discussion and action to approve or reject **Section Numbers 1 and 2 of Ordinance No. 2014-576: An Ordinance amending Section 6-125 of the Ordinances of the City of Cleveland regarding Municipal Court Warrant Fees. Separate vote to approve Section 3 of Ordinance No. 2014-576 (Emergency Clause).**
11. Discussion and action to approve or reject **Section Numbers 1 and 2 of Ordinance No. 2014-577: An Ordinance amending Part 2, Chapter 3, Section 2-301 of the City of Cleveland Code regarding City Manager Appointment. Separate vote to approve Section 3 of Ordinance No. 2014-577 (Emergency Clause).**
12. Discussion and action to approve or reject **Sections No. 1 and 2 of Ordinance No. 2014-578: An Ordinance amending Section 14-112-B of the Ordinances of the City of Cleveland regarding Signs. Separate vote to approve Section 3 of Ordinance No. 2014-578 (Emergency Clause).**
13. Presentation and discussion of **proposed Capital Improvement Plan.**
14. Consider **City Manager's Report and various department reports** which may include: Utility report, sales tax report, and other reports pertaining to the City. **This report may include Council comments.**
15. **Adjournment.**

Note: The City of Cleveland encourages participation from all citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations.

This notice and agenda was posted in Cleveland City Hall, 201 North Broadway, Cleveland, Oklahoma and on the World Wide Web on the 12 day of August, 2014 at 1:30 a.m. (p.m.)

Signed: Annetta Franks
Annetta Franks, City Clerk

MINUTES
CLEVELAND CITY COUNCIL
Thursday, August 14, 2014

Members of the Cleveland City Council met in a regularly scheduled meeting in the Council Chambers of the Cleveland Municipal Building located at 201 North Broadway, Cleveland, Oklahoma on August 14, 2014 at 6:00 p.m. with Vice-Mayor Dan Reeves presiding. The agenda for this meeting was posted in Cleveland City Hall and on the World Wide Web on August 12, 2014 at 1:30 p.m.

1. **Call to order.** Vice-Mayor Dan Reeves called the meeting to order at 6:00 p.m.
2. **Roll Call.** City Clerk Annetta Franks called the roll with the following members present:
Present: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher
Absent: Brian Torres
3. **Discussion and action to approve or reject the minutes of the previous meeting.** A motion was made by Scott Rusher and seconded by Donna Davis to approve the minutes of the previous meetings held on July 8, 2014, July 15, 2014, and July 29, 2014. The motion carried with the following roll call vote: (4-0)
Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher
Nay: None
4. **Discussion and action to approve or reject the Treasurer's Report.** A motion was made by Kent Cooper and seconded by Dan Reeves to approve the Treasurer's Report for July 2014. The motion carried with the following roll call vote: (4-0)
Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher
Nay: None
5. **Discussion concerning list of purchase orders paid.**
6. **Public Comments.** All comments will be limited to agenda items only. Participants are required to sign in prior to the start of the meeting. Robert Burk addressed the Council asking for lenience in the sign ordinance. He had recently purchased a mini-storage facility, purchased signs for advertising and would like to advertise with signs.
7. **Discussion and action to approve or reject Resolution No. 2014-3: A Resolution of Cleveland, Oklahoma casting a vote for one Trustee of the Oklahoma Municipal Retirement Fund (OkMRF) to fill the expiring term of Trustee-at-Large.** City Manager Elzie Smith recommended Mike Nunneley for the open position. Mr. Nunneley is the City Manager of Mannford. A motion was made by Donna Davis and seconded by Dan Reeves to nominate Mike Nunneley as Trustee for the Oklahoma Municipal Retirement Fund. The motion carried with the following roll call vote: (4-0)
Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher
Nay: None
8. **Discussion concerning Ambulance coverage area.**
9. **Discussion and action to approve or reject proposed amendments to the Employee Handbook for the City of Cleveland regarding special rules for overtime pay for police and firefighters.** The handbook amendment will calculate overtime for police and fire as defined by the Department of Labor rules. Pay rates will be adjusted so that employees

will not suffer a loss in pay. A motion to approve the amendment was made by Donna Davis and seconded by Scott Rusher. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

- 10. Discussion and action to approve or reject Section Numbers 1 and 2 of Ordinance No. 2014-576: An Ordinance amending Section 6-125 of the Ordinances of the City of Cleveland regarding Municipal Court Warrant Fees. Separate vote to approve Section 3 of Ordinance No. 2014-576 (Emergency Clause).** This ordinance will add a \$25.00 warrant fee for each defendant who fails to appear in court. An additional \$25.00 fee will be added when a police officer serves the warrant. After discussion, a motion was made by Donna Davis and seconded by Kent Cooper to approve Sections 1 and 2 of Ordinance 2014-576. The motion carried with the following roll call vote:

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

After determining that the Ordinance would not affect citizens until after publication in the local newspaper, a motion was made by Donna Davis and seconded by Kent Cooper to approve Section 3 of Ordinance 2014-576--the Emergency Clause. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

- 11. Discussion and action to approve or reject Section Numbers 1 and 2 of Ordinance No. 2014-577: An Ordinance amending Part 2, Chapter 3, Section 2-301 of the City of Cleveland Code regarding City Manager Appointment. Separate vote to approve Section 3 of Ordinance No. 2014-577 (Emergency Clause).** City Attorney Bryan Drummond explained that this Ordinance will clarify where the City Manager must reside, specifically within the 74020 zip code. After discussion, it was determined to expand the Ordinance to state the City Manager must reside within any zip code attributed to Cleveland. A motion was made by Scott Rusher and seconded by Donna Davis to approve Sections 1 and 2 of Ordinance 2014. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

A motion was made by Dan Reeves and seconded by Kent Cooper to approve the Emergency Clause associated with Ordinance 2014-577. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

- 12. Discussion and action to approve or reject Sections No. 1 and 2 of Ordinance No. 2014-578: An Ordinance amending Section 14-112-B of the Ordinances of the City of Cleveland regarding Signs. Separate vote to approve Section 3 of Ordinance No. 2014-578 (Emergency Clause).** City Manager Elzie Smith explained to the Council that these amendments to the code would allow more flexibility for businesses and residents concerning placement of signs. After review of the Ordinance, it was determined to

allow sidewalk signs may also be approved during a Special Meeting of the Council and not just during regularly scheduled meetings. Also, temporary signs must be at least 10 feet apart, not 100 feet apart. After discussion and proposed revisions, a motion was made by Kent Cooper and seconded by Donna Davis to approve Sections 1 and 2 of Ordinance 2014-578. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

A motion was made by Dan Reeves and seconded by Scott Rusher to approve the Emergency Clause associated with the Ordinance. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

13. Presentation and discussion of proposed Capital Improvement Plan. City Manager Elzie Smith presented a proposed Capital Improvement Plan to the Council covering the next 5 years. He asked Councilors to review the Plan and bring back any additional ideas for Capital Expenditures.

14. Consider City Manager's Report and various department reports which may include: Utility report, sales tax report, and other reports pertaining to the City. This report may include Council comments. City Manager Elzie Smith reported the street re-surfacing project was nearly complete, the Feyodi House has been renovated and has a new tenant--a Pawnee County Deputy Sheriff, work being done on the jail holding facility in the new fire station, Cleveland will be updating the 911 system, utility billing is down, currently testing water in the Arkansas River to determine if the water can be pumped into the Cleveland Lake during drought conditions, will have chip and seal contractor look at re-surfacing some streets, sales tax is up, use tax is up, tobacco tax is down, the CENA grant with COEDD was approved for \$18,000.00, police are working on traffic flow at school, Captain Todd Fenton has been promoted to Assistant Chief of Police. Councilor Scott Rusher stated he appreciated the fire and police personnel, thanked the community for support in helping clean up properties, and affirmed swimming pool maintenance planned so that pool may open next year. Councilor Donna Davis stated she is proud to say she is from Cleveland--lots of good things happening. Councilor Kent Cooper stated he feels Cleveland is moving in the right direction and would like to see a volunteer pool organized to help elderly citizens with yard work, etc. Vice-Mayor Dan Reeves encouraged citizens to watch out for children now that school is back in session, thanked the city employees, and stated he is very proud to be part of a Council who wants to move forward--very proud of Cleveland.

15. Adjournment. A motion to adjourn was made by Scott Rusher and seconded by Dan Reeves. The motion carried with the following roll call vote: (4-0)

Aye: Dan Reeves, Kent Cooper, Donna Davis, Scott Rusher

Nay: None

The meeting adjourned at 8:05 p.m.



Dan Reeves, Vice-Mayor



Annetta Franks, City Clerk